



General Assembly

**Substitute Bill No. 970**

*January Session, 2003*

**AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE  
LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS  
COMMITTEE RELATIVE TO THE VENDING OPERATIONS OF THE  
BOARD OF EDUCATION AND SERVICES FOR THE BLIND.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-303 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2003*):

3 (a) (1) The authority in charge of any building or property owned,  
4 operated or leased by the state or any municipality therein shall grant  
5 to the Board of Education and Services for the Blind a permit to  
6 operate in such building or on such property a food service facility, a  
7 vending machine or a stand for the vending of newspapers,  
8 periodicals, confections, tobacco products, food and such other articles  
9 as such authority approves when, in the opinion of such authority,  
10 such facility, machine or stand is desirable in such location. Any  
11 person operating such a stand in any such location on October 1, 1945,  
12 shall be permitted to continue such operation, but upon such person's  
13 ceasing such operation such authority shall grant a permit for  
14 continued operation to the Board of Education and Services for the  
15 Blind. Said board may establish a training facility at any such location.

16 (2) Notwithstanding the provisions of subdivision (1) of this  
17 subsection, on and after July 1, 2003, the authority in charge of any  
18 building or property owned, operated or leased by any municipality,

19 vocational-technical school or public institution of higher education  
20 may, but shall not be required to, grant to the Board of Education and  
21 Services for the Blind a permit for the operation of a vending machine  
22 in any such building or property owned, operated or leased by such  
23 municipality, vocational-technical school or public institution of higher  
24 education. Nothing in this section shall be construed to impair any  
25 contract that exists on June 30, 2003, including any rights in such  
26 contract of a party to the contract to require that such contract be  
27 extended for an additional period.

28 (3) Vending machine income accrued as a result of a municipality,  
29 vocational-technical school or public institution of higher education  
30 which on and after July 1, 2003, grants a permit to the Board of  
31 Education and Services for the Blind for the operation of a vending  
32 machine at a building or property owned, operated or leased by any  
33 such municipality, vocational-technical school or public institution of  
34 higher education shall be deposited in the nonlapsing account  
35 established pursuant to subsection (c) of this section.

36 (b) Pursuant to the Randolph-Sheppard Vending Stand Act, 49 Stat.  
37 1559 (1936), 20 USC 107, as amended from time to time, the Board of  
38 Education and Services for the Blind is authorized to maintain a  
39 nonlapsing account and to accrue interest thereon for federal vending  
40 machine income which, in accordance with federal regulations, shall  
41 be used for the payment of fringe benefits to the vending facility  
42 operators by the Board of Education and Services for the Blind.

43 (c) The Board of Education and Services for the Blind [may] shall  
44 maintain a nonlapsing account and accrue interest thereon for state  
45 and local vending machine income. [which] Moneys in said account  
46 shall be used for [the] purposes of (1) payment of fringe benefits,  
47 training and support to vending facilities operators, [and] (2) to  
48 provide entrepreneurial and independent-living training and  
49 equipment to children who are blind or visually impaired and adults  
50 who are blind, (3) to provide Braille, audio-recorded or other  
51 electronically accessible versions of textbooks for persons who are

52 blind, visually impaired or dyslexic, and (4) the development of jobs  
53 for adults who are blind. Not later than July 1, 2004, and annually  
54 thereafter, the director of the Board of Education and Services for the  
55 Blind shall submit a report, in accordance with section 11-4a, to the  
56 joint standing committees of the General Assembly having cognizance  
57 of matters relating to human services and appropriations and the  
58 budgets of state agencies and the legislative program review and  
59 investigations committee which sets forth a detailed accounting of the  
60 amount and purpose of any expenditure of moneys from the account  
61 established pursuant to this subsection and the number and types of  
62 new jobs created in the preceding calendar year for adults who are  
63 blind. At the end of each fiscal year, any sum of money in excess of  
64 seven hundred fifty thousand dollars in said account, shall revert to  
65 the General Fund of the state.

66 (d) The Board of Education and Services for the Blind may disburse  
67 state and local vending machine income to student or client activity  
68 funds, as defined in section 4-52.

69 (e) Notwithstanding any of the provisions of this section the  
70 authority in charge of any state or municipal building or property with  
71 both vending machines and a vending stand in operation pursuant to  
72 subsection (a) of this section shall permit blind operators of such  
73 vending stands, during the period of operation of such stands, to  
74 accrue revenues derived from the vending machines, in the manner  
75 prescribed by the Board of Education and Services for the Blind.

76 Sec. 2. Section 10-298 of the general statutes is repealed and the  
77 following is substituted in lieu thereof (*Effective July 1, 2003*):

78 (a) The Board of Education and Services for the Blind shall,  
79 annually, as provided in section 4-60, submit to the Governor its  
80 report, containing a statement of the activities of the board during the  
81 preceding year. Said board shall prepare and maintain a register of the  
82 blind in this state which shall describe their condition, cause of  
83 blindness and capacity for education and industrial training. The

84 board may register cases of persons whose eyesight is seriously  
 85 defective and who are liable to become visually handicapped or blind,  
 86 and may take such measures in cooperation with other authorities as it  
 87 deems advisable for the prevention of blindness or conservation of  
 88 eyesight and, in appropriate cases, for the education of children and  
 89 for the vocational guidance of adults having seriously defective sight  
 90 but who are not blind.

91 (b) The board may accept and receive any bequest or gift of personal  
 92 property and, subject to the consent of the Governor and Attorney  
 93 General as provided in section 4b-22, any devise or gift of real property  
 94 made to said board, and may hold and use such property for the  
 95 purposes, if any, specified in connection with such bequest, devise or  
 96 gift.

97 (c) The Board of Education and Services for the Blind may enter  
 98 into memoranda of understanding with other state agencies to carry  
 99 out the purposes set forth in subsection (a) of section 10-303, as  
 100 amended by this act, including, but not limited to, memoranda  
 101 concerning the operation of vending facilities at rest and recreation  
 102 areas adjacent to state highways. Any revenue accrued to the Board of  
 103 Education and Services for the Blind as a result of such memoranda  
 104 shall be deposited in the nonlapsing account established pursuant to  
 105 subsection (c) of section 10-303, as amended by this act.

This act shall take effect as follows:	
Section 1	July 1, 2003
Sec. 2	July 1, 2003

**PRI** Joint Favorable Subst.

**HS** Joint Favorable

**GAE** Joint Favorable